

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Norfolk Division

UNITED STATES OF AMERICA	)	CRIMINAL NO. 2:02 CR 28
)	
v.	)	18 U.S.C. § 922(g)(1)
	)	Felon in Possession of Firearm
JERRY GLENN JOSHUA,	)	(Count One)
)	
Defendant.	)	21 U.S.C. § 846
	)	Conspiracy to Distribute Crack
	)	Cocaine
	)	(Count Two)
)	
	)	18 U.S.C. § 924(c)(1)
	)	Carry & Use a Firearm During &
	)	In relation to Drug Trafficking
	)	And Possess a Firearm in
	)	Furtherance of Drug Trafficking
	)	(Count Three)

SUPERSEDING INDICTMENT

August, 2002, Term - At Norfolk, Virginia.

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about March 29, 2001, in Virginia Beach, in the Eastern District of Virginia, JERRY GLENN JOSHUA, having been previously convicted of a felony crime punishable by imprisonment for a term exceeding one year, did unlawfully and knowingly possess in and affecting commerce a firearm which had been shipped and transported in interstate commerce.

(In violation of Title 18, United States Code, Sections 922(g)(1) and 924(e).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

From in or about February, 2001, until about the end of June, 2001, in the Eastern District of Virginia, defendant, JERRY GLENN JOSHUA, did unlawfully, knowingly and intentionally combine, conspire, confederate and agree with other persons both known and unknown to the grand jury to commit the following offenses against the United States:

1. To knowingly, intentionally and unlawfully possess with the intent to distribute 50 grams or more of a mixture and substance containing a detectable amount of cocaine base, commonly known as "crack" cocaine, a Schedule II narcotic controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A)(iii);
2. To knowingly, intentionally and unlawfully distribute 50 grams or more of a mixture and substance containing a detectable amount of cocaine base, commonly known as "crack" cocaine, a Schedule II narcotic controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A)(iii).

WAYS, MANNER AND MEANS TO ACCOMPLISH THE CONSPIRACY

The ways, manner and means by which this conspiracy was carried out included but were not limited to the following:

1. It was a part of the conspiracy that the defendant and co-conspirators would and did at various times throughout the

conspiracy transport, facilitate the transportation of, and deliver controlled substances, for the purpose of distribution to the ultimate users;

2. It was further a part of the conspiracy that the defendant and co-conspirators would use residences and other locations to store, possess with intent to distribute, and distribute controlled substances and to store money and other proceeds derived from the distribution of controlled substances;

3. It was further a part of the conspiracy that the defendant and co-conspirators would and did prepare crack cocaine for distribution, to package controlled substances, using paraphernalia, to deliver packages of controlled substances, and to receive the proceeds from the sales of the controlled substances;

4. It was further a part of the conspiracy that the defendant and co-conspirators would and did derive income from the distribution of controlled substances, and would and did spend the money earned from the sale of controlled substances in various ways which furthered and promoted the conspiracy;

5. It was further a part of the conspiracy that the defendant and co-conspirators would and did, purchase and possess quantities of "crack" cocaine, a Schedule II narcotic controlled substance;

6. It was further a part of the conspiracy that the defendant and co-conspirators would and did use various methods,

which included, but were not limited to, using telephones, cellular telephones, and electronic pagers, in an effort to promote the conspiracy;

7. It was further a part of the conspiracy that the defendant would and did provide firearms to one of his co-conspirators in exchange for crack cocaine.

OVERT ACTS

The following overt acts, among others, were committed in the Eastern District of Virginia and elsewhere, as part of and to further the conspiracy:

1. In about February, 2001, defendant obtained crack cocaine from a co-conspirator through a relative who was a mutual acquaintance;

2. Defendant used his relative to introduce him to a supplier in early 2001;

3. In or about February, 2001, defendant provided a .38 caliber revolver to his crack cocaine supplier in return for crack cocaine;

4. On or about March 29, 2001, defendant provided a Remington Model 870 12 gauge shotgun to his crack cocaine supplier in return for crack cocaine.

(All in violation of Title 21, United States Code, Section 846.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 29, 2001, in Virginia Beach, in the Eastern District of Virginia, JERRY GLENN JOSHUA, did knowingly and unlawfully carry a firearm, namely one Remington Model 870 12 gauge shotgun, during and in relation to a drug trafficking crime, and did knowingly and unlawfully possess that firearm in furtherance of that drug trafficking crime, for which such drug trafficking crime he could be prosecuted in a court of the United States.

(In violation of Title 18, United States Code, Sections 924(c) (1) and 2).

A TRUE BILL:

Foreperson

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